

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EULALIA BUENO CAMARGO,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:20-cv-01285-SAB

ORDER RE: STIPULATION FOR AWARD OF
ATTORNEYS' FEES PURSUANT TO THE
EQUAL ACCESS TO JUSTICE ACT
(28 U.S.C. § 2412(d))

ORDER DENYING MOTION FOR
ATTORNEY'S FEES AS MOOT

(ECF Nos. 19, 24)

Plaintiff Eulalia Bueno Camargo filed the complaint in this action on September 10, 2020. (ECF No. 1.) On December 20, 2021, pursuant to the parties' stipulation for remand, the Court remanded the action for further proceedings, and entered judgment in favor of Plaintiff. (ECF Nos. 16, 17, 18.) On March 21, 2022, Plaintiff's counsel filed a motion for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) ("EAJA"). (ECF No. 19.) The Court ordered counsel to serve the motion on Plaintiff and file any objections on her behalf with the Court. (ECF No. 22.) Plaintiff's objections, if any, were due by April 6, 2022. Defendant's response, if any, was due April 22, 2022. On March 28, 2022, Plaintiff's counsel filed a notice of proof of service of the attorney's fees motion on Plaintiff. (ECF No. 23.)

On April 11, 2022, the parties filed a stipulation for the award of attorney fees in the

1 amount of \$7,300.00 pursuant to the EAJA. (ECF No. 24.) The award is without prejudice to the
2 rights of counsel to seek attorney fees under 42 U.S.C. § 406, subject to the offset provisions of
3 the EAJA. The parties additionally proffer that the stipulation constitutes a complete release
4 from, and bar to, any and all claims that Plaintiff and Plaintiff's attorney may have relating to
5 EAJA attorney fees in connection with this action. (Id. at 2.)

6 Accordingly, IT IS HEREBY ORDERED that pursuant to the stipulation of the parties,
7 Plaintiff is awarded attorneys' fees in the amount of \$7,300.00 under the EAJA, 28 U.S.C. §
8 2412(d). (ECF No. 24.) IT IS FURTHER ORDERED that, in light of the parties' stipulation to
9 EAJA fees, Plaintiff's prior motion for attorney's fees under the EAJA (ECF No. 19) is hereby
10 DENIED as moot.

11
12 IT IS SO ORDERED.

13 Dated: April 11, 2022


UNITED STATES MAGISTRATE JUDGE